



# PUBLIC NOTICE

US Army  
Corps  
of Engineers  
Baltimore  
District

In Reply to Application Number  
CENAB-OP-RMS(LOVELL AMERICA/TILGHMAN  
ON THE CHESAPEAKE) 2004-65754-13

**Comment Period: June 8, 2005 to June 23, 2005**

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899, as described below:

APPLICANT: Lovell America Inc.  
Attn: Mr. Richard Hayward  
9030 Red Branch Road, Suite 200  
Columbia, Maryland 21045

LOCATION: In Dogwood Cove at Avalon Island, Tilghman, Talbot County, Maryland

WORK: To mechanically maintenance dredge an approximately 120,000 square foot area to a maximum depth of -6.0 feet at mean low water; to deposit approximately 3,000 cubic yards of dredged material to the R.B. Baker and Sons landfill; and to install two 8-foot wide by 170-foot long collector piers, one 8-foot wide by 180-foot long collector pier, one 14-foot wide by 138-foot long floating breakwater, one 14-foot wide by 125-foot long floating breakwater, one 14-foot wide by 110-foot long floating breakwater, one 14-foot wide by 195-foot long floating breakwater, twenty-seven 4-foot wide finger piers and 30 mooring piles, all within a maximum of 400 feet channelward of the mean high water shoreline. The majority of this proposed work was authorized under CENAB-OP-RS (LOVELL AMERICA, INC.) 1998-63653-3. All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Rod Schwarm at 410-820-8550.

PURPOSE: For commercial boating access and completion of a previously authorized marina.

EFH: The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for Scophthalmus aquosus (windowpane flounder) juvenile and adult; Pomatomus saltatrix (blue fish) juvenile and adult; Paralichthys dentatus (summer flounder) juvenile and adult; and eggs, larvae, juvenile, and adult stages of Sciaenops ocellatus (red drum), Scomberomorus cavalla (king mackerel), Scomberomorus maculatus (spanish mackerel), and Rachycentron canadum (cobia), managed species under the MSFCMA. The project has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The Baltimore District has determined that the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

  
WALTER WASHINGTON, JR.  
Chief, Maryland Section Southern

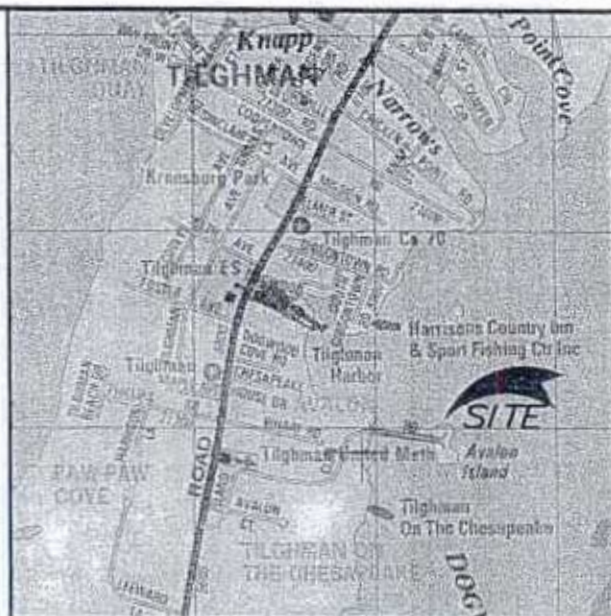
## SCOPE OF WORK

### COLLECTOR PIERS

- 'A' DOCK: NO PROPOSED WORK
- 'B' DOCK: 8' x 180' COLLECTOR W/  
14'x 138' FLOATING BREAKWATER  
4 - 4'x 40' FINGER PIERS  
4 - 4'x 50' FINGER PIERS
- 'C' DOCK: 8' x 170' COLLECTOR W/  
14'x 125' FLOATING BREAKWATER  
4 - 4'x 40' FINGER PIERS  
4 - 4'x 50' FINGER PIERS
- 'D' DOCK: 8' x 170' COLLECTOR W/  
14'x 110' FLOATING BREAKWATER  
1 - 4'x 30' FINGER PIERS  
7 - 4'x 40' FINGER PIERS
- 'E' DOCK: 14' x 195' FLOATING BREAKWATER WITH  
3 - 4'x 40' FINGER PIERS

MOORING PILES: 30 EACH

MAINTENANCE DREDGING: 3,000 C.Y.



### VICINITY MAP

SCALE: 1" = 3 mi. Copyright ADC The Map People  
Permitted Use No. 20503144

## GENERAL NOTES

- MEAN TIDAL RANGE IS 1.3' FEET.
- VERTICAL CONTROL BASED ON BENCHMARK DESIGNATED AS "SHA 299" ELEV.= 7.34' NAVD '88.
- ELEVATIONS SHOWN ARE IN FEET AND BASED ON NAVD '88 DATUM.
- MARINA AND DREDGING WAS PREVIOUSLY APPROVED UNDER TIDAL WETLANDS LICENSE NO. 98-1576(R).
- APPROXIMATELY 3,000 C.Y. OF SAND, SILT AND CLAY TO BE MECHANICALLY DREDGED AND TRUCKED TO BAKERS LANDFILL IN QUEEN ANNES COUNTY.
- THE EXISTING FEDERAL CHANNEL'S LOCATION IS BASED ON COORDINATES PROVIDED BY U.S. ARMY CORPS OF ENGINEERS.
- THESE DRAWINGS ARE FOR OUTLINE PURPOSES ONLY. DESIGN DRAWINGS ARE TO BE PROVIDED SEPARATELY.

### SLIP SUMMARY

DOCK	LENGTH	SLIPS		
		30'	40'	50'
<b>A</b>	NO CHANGE			
<b>B</b>	180'		9	9
<b>C</b>	170'		8	8
<b>D</b>	170'	3	15	
<b>E</b>	195'		7	
TOTAL PROPOSED SLIPS = 59				

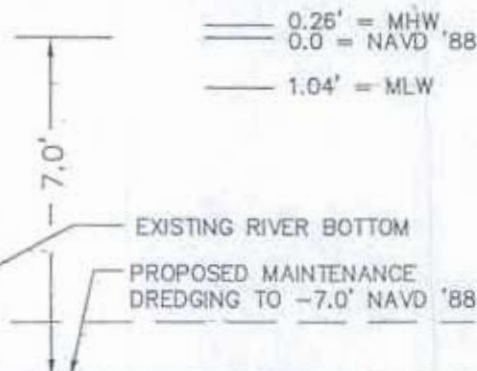
## ADJOINING PROPERTY OWNERS

EDWIN W. III AND CECILIA H. SKOGLIN  
21525 ISLAND CLUB ROAD  
TILGHMAN, MD 21671

THOMAS F. AND VIRGINIA T. CORNWELL  
21526 ISLAND CLUB ROAD  
TILGHMAN, MD 21671

## TYPICAL DREDGE SECTION

SCALE: 1" = 4'  
0' 4'



Prepared By:



CONSULTING ENGINEERS AND SURVEYORS

**Andrews, Miller & Assoc., Inc.**

401 Academy Street  
Cambridge, Maryland 21613  
Phone: 410-228-7117

SHEET 1 of 4

## PROPOSED MARINA EXPANSION/ MAINTENANCE DREDGING

In: HARRIS CREEK NEAR AVALON  
At: TILGHMAN ON THE CHESAPEAKE  
TALBOT COUNTY, MARYLAND  
Application By: LOVELL AMERICA, INC.  
c/o RICHARD HAYWARD

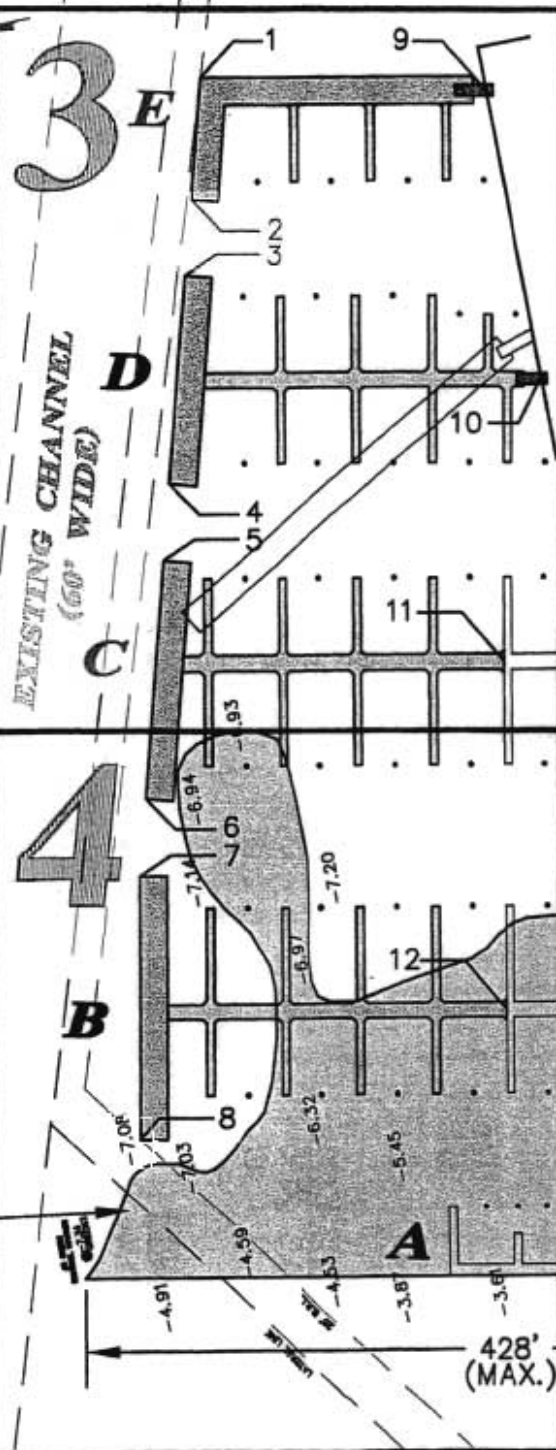
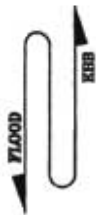
Date: September 2004

CDM

# **COORDINATE LIST**

1	N 380534.5	7	N 380646.6
	E 1503617.5		E 1503214.4
2	N 380551.4	8	N 380672.8
	E 1503556.7		E 1503079.1
3	N 380562.1	9	N 380387.2
	E 1503518.1		E 1503581.7
4	N 380591.5	10	N 380387.8
	E 1503412.5		E 1503428.1
5	N 380602.2	11	N 380435.4
	E 1503374.0		E 1503286.5
6	N 380635.7	12	N 380469.7
	E 1503253.4		E 1503107.6

**DOGWOOD  
COVE**



PROPOSED DREDGING  
TO -7.0' NAVD '88.  
80,000 S.F.

SCALE 1" = 100'

0' 100'

SHEET 2 of 4

## **PROPOSED MARINA EXPANSION/ MAINTENANCE DREDGING**

Application By: LOVELL AMERICA, INC.

Date: September 2004 Rev.10/5/04

PROPERTY OF  
AVALON LIMITED PARTNERSHIP

C.D.H.

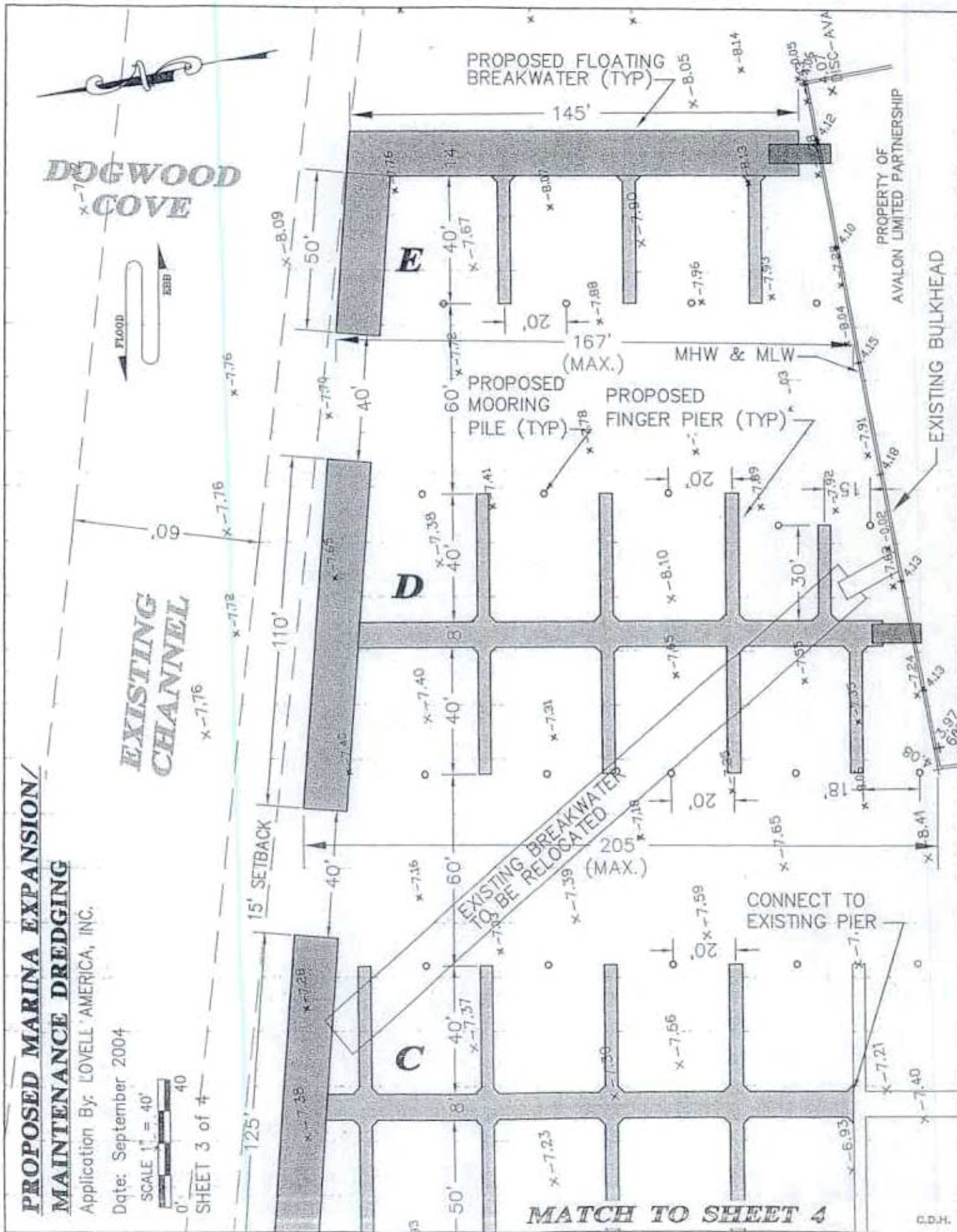
# PROPOSED MARINA EXPANSION/ MAINTENANCE DREDGING

Application By: LOVELL AMERICA, INC.

Date: September 2004

SCALE 1" = 40'

0' SHEET 3 of 4



EXISTING  
CHANNEL

Date: September 2004

03 GREEN  
CHANNEL MARKER  
-7.34  
GREEN3

SCALE 1" = 40'

SHEET 4 of 4

DOGWOOD  
COVE

**MATCH TO SHEET 3**

397' TO BULKHEAD  
(MAX.)

CONNECT TO  
EXISTING PIER

400' TO BULKHEAD  
(MAX.)

NE

4-4.53

**A**

C.D.H.